## REMARKS

Initially, Applicants note that the Examiner has not indicated consideration of the two (2) sheets of drawings filed on August 7, 2003. Accordingly, Applicants ask the Examiner to acknowledge receipt and consideration of these drawings in the next Office Action.

Applicants herein editorially amend claim 1. The amendment to claim 1 was made merely to more accurately claim the present invention and does not narrow the literal scope of the claim and this do not implicate an estoppel in the application of the doctrine of equivalents. The amendment to claim 1 was not made for reasons of patentability.

Claims 1-13 are all the claims pending in the application. Claim 1 is an independent claim. Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishikawa (US 2002/0034028A1) in view of Nishikawa (US 2002/0051306A1). For ease of reference, these references are denoted Nishikawa '028 and Nishikawa '306, respectively (or the "Nishikawa references" collectively). For the following reason, Applicants respectfully traverse this rejection.

The present invention relates to a master information carrier having on a surface thereof an irregularity pattern representing information to be magnetically transferred to a magnetic recording medium. The parts of the surface which are brought into contact with the magnetic recording medium have a center plane mean surface roughness SRa in the range of 0.3nm to 10nm. With the above features, defective contact between the master information carrier and the magnetic recording medium is reduced or prevented. Non-uniformity in transferred

magnetization and deterioration in linearity of transferred magnetization is also reduced or prevented. As a result, excellent transfer recording properties can be obtained.

Nishikawa '028 teaches that a metal thin film formed on a substrate of a master medium is electrically grounded such that any charge which would have been transferred to the master medium is removed. This reduces the amount of adhering dust which reduces or prevents insufficient contact between the master medium and a slave medium. Nishikawa '028 neither discloses nor suggests the center plane mean surface roughness (SRa) of the master information carrier being in the range of 0.3nm to 10nm.

Nishikawa '306 discloses a master carrier having servo areas where magnetic transfer is to be performed, and data areas, where magnetic transfer is not to be performed. Both areas are on the same side. Nishikawa '306 also teaches that the average surface roughness (Ra) of the data area is set to be in the range of 0.1-5nm in order to prevent generation of air gaps between the master carrier and the slave medium when the master carrier is tightly fitted to the slave medium and to also enhance detachment or peeling off of the slave medium from the master carrier.

It is true that the numerical range of 0.1-5nm for the average surface roughness (Ra) of Nishikawa '306 overlaps with the range of 0.310nm for the center plane mean surface roughness (SRa) of the present invention. However, the technical concept of SRa of the present invention is completely different from the technical concept of Ra of Nishikawa '306.

Nishikawa '306 first attempts to bring the data areas, as well as the servo areas, of the master carrier into close contact with the slave medium to improve the durability of the servo

areas, under the premise that, in terms of the operability of the magnetic transfer, it is merely sufficient for only the servo areas of the master carrier to be brought into close contact with the magnetic recording medium (i.e., the slave medium). On the other hand, it is not necessarily required for the data areas to be brought into close contact with the slave medium. Nishikawa '306 then provides **only the data areas** with the average surface roughness (Ra).

In contrast, in the present invention, the center plane mean surface roughness (SRa) is provided **the overall surface parts of the master information carrier which are brought into contact with the magnetic recording medium**, including not only the protruding portions of the irregularity pattern on the surface of the master information carrier but also a part which is not provided with the irregularity pattern but brought into contact with the magnetic recording medium. This represents a significant and non-obvious difference between the SRa of the present invention and the Ra of Nishikawa '306.

Further, the invention of Nishikawa '306 is a result of addressing the problem involved in bringing a master carrier having **a flat surface without an irregularity pattern on the surface** thereof into close contact with a magnetic recording medium. This is not the same problem addressed by the present invention. Accordingly, this also represents a significant difference between the present invention and Nishikawa '306, In this respect, the "grooves" on the surface of the master carrier of Nishikawa '306 as referred to by the Examiner merely function to prevent generation of air gaps and are **not at all equivalent to the irregularity pattern**, as recited in Claim 1.

Given the above, it is clear that neither reference, either alone or in combination, provides

any motivation to combine the teaching of Nishikawa '028 in which the master carrier has an irregularity pattern on the surface thereof with the teaching of Nishikawa '306 in which the master carrier has a flat surface. In view of the above, Applicants believe that claim 1 is patentable over the asserted combination of Nishikawa '028 and Nishikawa '306. Further, since Claims 2-13 depend from Claim 1, these claims are also patentable for the same reasons.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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